

**Alan Rich**

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**From:** Alan J. Rich [arich@richlaw.us]  
**Sent:** Tuesday, April 08, 2008 5:03 PM  
**To:** Goldberg Mintzer, Jill  
**Subject:** RE: 13 116 418 07 - Victoria Fuller and Interview Inc. and Brant Publication, Inc.

Dear Jill,

I suggest we put the arbitration over to June 10, the day **after** the conference. Please advise if you will email the AAA on behalf of us both or I should.

This is to also confirm the following with regard to the conference yesterday before Judge Sullivan and today before Mag. Judge Freeman:

Judge Sullivan permitted me to serve a limited number of discovery requests which I explained will assist plaintiff in assessing the defenses and claims of defendants and therefore to meaningfully participate in settlement. This included interrogatory requests with the Court permission, that are beyond the ordinary limitations per Local Civil Rule 33.3. I attach them here with certificate of service. While the Judge indicated that he would not order that they be responded to in a period shorter than 30 days, he urged that if the parties wished to resolve the matter, that it would be in our mutual interests they be responded to promptly.

We are to appear for a conference before Judge Sullivan on June 9, 2008 at 4:30 p.m. We are to jointly send him a status letter by June 2, 2008.

You agreed to provide me the documents previously provided in pdf form which I explained were not in a searchable format and that required opening nearly 30,000 individual computer files. You explained that those documents are in a searchable format if you provide them to me as native pst files which can then be loaded into a program such as outlook, viewed and searched.

Additionally, as I indicated, I tried to run paper capture on the pdf documents that were supplied. That is a function within acrobat which modifies pdf files to enable pdf documents to be searched. Even when that program was run on the pdf documents you supplied, the paper capture function did not work. This is a function which must have been disabled by your office as the encoder. If you have run paper capture on the documents that you are providing, please either provide those versions, or, in the alternative, please remove the encoding function which disables me from running paper capture on the pdf files that you are serving.

We agreed in our phone conference with Mag. Judge Freeman today that after the discovery production, we would engage in settlement discussions between counsel and would have a telephone conference with the Magistrate on May 13, 2008 at 11 a.m. She indicated that if we settle the case we are to notify her and if we view that we need her assistance before the phone conference date, we may contact her.

As to your suggestion for arbitrating all the claims, I have conferred with my client and decline the offer.

Thank you for your kind cooperation regarding this matter. If you have any questions, please feel free to email or call.

**Alan J. Rich, Esq.**

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**From:** Goldberg Mintzer, Jill [mailto:Jill.GoldbergMintzer@srz.com]  
**Sent:** Tuesday, April 08, 2008 9:37 AM  
**To:** Alan J. Rich  
**Subject:** FW: 13 116 418 07 - Victoria Fuller and Interview Inc. and Brant Publication, Inc.

It seems to me that we should request that the matter continue to be held in abeyance through the date of the next court conference, June 9.

That said, as discussed yesterday, we believe that it would be more efficient to put both matters before the AAA. Please let me know if your client would be amenable to this proposal.

Regards,  
Jill

Jill Goldberg Mintzer  
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**From:** Alicia DeSimone [mailto:DeSimoneA@adr.org]  
**Sent:** Monday, April 07, 2008 4:11 PM  
**To:** Goldberg Mintzer, Jill; arich@richlaw.us; Brossman, Mark; Gold, Scott  
**Subject:** RE: 13 116 418 07 - Victoria Fuller and Interview Inc. and Brant Publication, Inc.

Dear Counsel,

This case was put into abeyance on February 8, 2008. Please advise as to the status of this matter. Thank you.

Alicia DeSimone  
Case Manager

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